

**Town of La Pointe Zoning
Town Plan Commission Special Monthly Meeting Minutes
January 2, 2013**

Town Plan Commission (TPC) Members Present: Ted Pallas, Chair, Charles Brummer, Vice-Chair, Larry Whalen (arrives at 4:32), Greg Thury, Suellen Soucek (5).

Town Plan Commission members absent: Joan Martin, Carey Baxter (2).

Public Present: Dave Thomas (1).

Town Staff Members Present: J. Croonborg-Murphy, ZA , Margaretta Kusch, ZCA, Pete Clark, Town Administrator (3).

I. Call to Order/Roll Call

Chair Pallas called the Meeting to order at 4:30 PM at the La Pointe Town Hall. Roll call reflected members present or absent as recorded above.

II. Public Comment

Dave Thomas asks to speak during item VI.

III. Approval of Previous Meeting Minutes

a. Town Plan Commission Regular Monthly Meeting, December 12, 2012.

- In item V, eighth paragraph, change “*fells*” to “*feels*.”

G. Thury moves to approve the Town Plan Commission Regular Monthly Meeting minutes of December 12, 2012, as amended. S. Soucek seconds. All in favor, 4 aye. Motion carries. (L. Whalen arrives at 4:32)

IV. Zoning Administrator's Report

The Zoning Administrator suggests that Town Plan Commission members would perhaps wish to attend the next Town Board meeting as the letters sent by Craftivity, Inc.'s attorney and Ed Kale will both be on the agenda (regarding both of those property owners' zoning violations).

IV. Consideration and/or Action of Permit Applications

- **Craftivity, Inc. Land Disturbing Activity permit application @ 978 Middle Rd., LP #014-00178-0200.**

This item is on the agenda as Craftivity, Inc. has a Conditional Use Permit and the Town Plan Commission must decide whether the permit would be compliant with the Conditional Use Permit. The Zoning Administrator reports that her questions regarding this permit have been largely answered by the DNR and Wayne Nelson. The DNR has told her that they won't require a permit for this project, and as such the Army Core of Engineers won't either.

Chair Pallas states that he sees three conditions that should be met for this permit to be approved. First, the sheet piling doesn't cause water to back up/spill over on to County H. Second, new wetlands aren't created as a result. Third, current wetlands aren't dried up as a result. He doesn't think that the proposed activity would affect the Conditional Use Permit.

The Zoning Administrator thinks that Chair Pallas's second point would only be an issue if the yet-to-be constructed buildings at the site were to be affected. She also notes that enforcement/regulation of wetlands at the site would be under the jurisdiction of the DNR, not La Pointe Zoning.

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It is agreed that Chair Pallas's conditions to be met could be noted on the approved permit by noting that Section 4.2.I of the Zoning Ordinance must be abided by.

Chair Pallas moves that this Land Disturbing Activity permit for the sheet piling doesn't affect the Conditional Use Permit held by Craftivity, Inc. They would still be in compliance. L. Whalen seconds. All in favor, 5 aye. Motion carries.

Chair Pallas moves that the Zoning Administrator should issue the Land Disturbing Activity permit for the sheet piling and that Craftivity, Inc. will have to take into consideration 4.2.I of the Zoning Ordinance for these three reasons. 1. The sheet piling does not create any high water problems to County Trunk H. 2. The sheet piling does not cause any of the wetland areas to dry up on Craftivity's property. 3. It does not cause any wetland issues to current or approved future building sites. S. Soucek seconds. All in favor, 5 aye. Motion carries.

V. New Business

- **Discuss Planning in 2013: focuses, procedures, roles**

- **Comprehensive Plan**

The Town Plan Commission discusses the method by which to review the Comprehensive Plan in 2013.

Chair Pallas feels that the review should be carried out the same as the Zoning Ordinance Revision Project was in 2010-2012: section by section. He would like to see other Town committees participate in the process.

S. Soucek agrees. She hopes that other committees could come to the meetings with their own suggestions for revision.

The Zoning Administrator feels that the revision should start with the Comprehensive Plan's forecasts (Section 4), rather than the beginning. The projected numbers (the island's population, etc.) in this section don't reflect the actual growth since 2004.

C. Brummer notes that the Comprehensive Plan was compiled before the national economic downturn, which affected economic/population growth on the island.

Chair Pallas feels that a simple cover letter outlining the upcoming revision should be sent to the chairs of all the other committees (e.g., CAPP, Alternative Energy, Affordable Housing, Sanitary, Roads, etc.). It will be necessary to find out which committees are currently active, and which could be reinvigorated.

The ZCA asks whether the Town Plan Commission wish to hold separate meetings/workshops dedicated solely to the Comprehensive Plan review or whether the review will be part of the regular Special Monthly Meetings/Regular Monthly Meetings.

It is felt that the review can be done at the Special Monthly Meetings/Regular Monthly Meetings.

Pete Clark notes that the official procedure for review as regards the CAPP Committee is that CAPP reviews and makes suggestions to Town Plan Commission, which then makes recommendations to the Town Board. He feels that it would be helpful for the CAPP

Committee to spend time reviewing the background of the original Comprehensive Plan creation process.

L. Whalen asks whether the Comprehensive Plan as currently exists was the first material written. The Zoning Administrator responds that the background document was created before the Comprehensive Plan. It's agreed that the background document should therefore be studied before the main reviewing process begins.

Dave Thomas feels that there should be a maximum effort to get as much public participation as possible in the review process. He thinks that the last version of the Comprehensive Plan showed that the Town doesn't have to be a slave to the forecasts, and the forecasts can be modified as such. He states that Smart Growth legislation (the impetus for the Comprehensive Plan creation in the first place) was based on reductionist approach to public planning, and suggests using systems approach when revising this time (viewing the Comprehensive Plan as an interdependent group of subjects rather than discreet topics which are independent of each other in terms of problems that may arise/solutions to be created).

The Zoning Administrator notes that the next Gazette deadline is on the 5th. She will put in a notice about the review process, and other updates as the review goes on throughout the year. The Town's website will also serve to keep people informed on the project. She thinks that a mass mailing will probably be in order as well.

The ZCA suggests that notice of the review process could be announced on the Madeline Island Community Facebook page as well.

○ **GIS/GPS: Coastal Bluff Erosion, wetlands delineation**

The Zoning Administrator states that the Town has begun looking into the idea of training the Zoning Administrator to be a wetlands delineator. The training and equipment (including the computer programs for digital map-making) to achieve this would end up costing somewhere in the range of \$30,000 (not taking into account grant funding), were the Town to own the computer programming (another option would be to have a group such as Nelson Surveying create the actual maps). Ashland County has the mapping program already, but has refused to share it with La Pointe. There are many possible uses for such a program: the Roads department and the Sanitary department could both use it (mapping sewer laterals, valves, etc.). The Town website could become interactive rather than a static PDF style page.

S. Soucek asks whether this new role (as a delineator) would be something that the Zoning Administrator would be put into entirely right away. Funding for the training/equipment would be an important issue to discuss at the onset. In general, she feels that it's a great idea.

The Zoning Administrator responds that if the Town wants to go forward with the idea, she would like to get trained in (as a delineator), but then talk to the townspeople before actually taking on the role. It wouldn't be happening in 2013.

C. Brummer recalls that at one point, the Madeline Island Wilderness Preserve had been talking about getting a GPS unit for mapping the island, but there was a big outcry for whatever reason.

Chair Pallas asks whether the Zoning Administrator would then be able to be hired out as a delineator. The Zoning Administrator responds that she would, and the Town would have to charge the same for the work as any other delineator.

Chair Pallas notes that that would be a bonus in revenue to the Town. He also thinks it would help to have an in-house delineator for Town projects like the Rice Street extension. The Zoning Administrator agrees that there are hidden benefits as well as costs with the idea.

Pete Clark states that the Town Board is just beginning a discussion about this concept. He feels that as long as the Town's talking about it, it's making progress, and right now the goal is getting more information and discussing ideas.

The Zoning Administrator goes on to discuss a related issue: coastal bluff erosion/management. There are very roughly, about 6 miles total of failing/failed bluffs on the island – she's put a map indicating these areas on the Town Hall bulletin board. There are many factors creating this situation, from lake levels and wave patterns to development/impervious surfaces. Failed bluffs can, at the worst, lead to structures falling into the Lake: Douglas County has already had to pay to remove at least one structure. Other northern counties (Douglas, Bayfield, Iron) have addressed this issue with erosion provisions in their Zoning Ordinances, although Ashland hasn't. It's an issue that the Town and the community needs to discuss.

The ZCA asks what Ashland County is thinking about bluff erosion.

The Zoning Administrator responds that there are a lot of unknowns. There are misconceptions at the County level about the situation on the island. She notes that in general, in history, people tend to be in favor of the free use of property. At the Erosion conference she went to in Ashland, a discussion arose about what could be done in instances where properties have structures in danger of falling in the lake because of erosion. It seems that, in reality, structures have to be moved. Theoretically, pilings could be put in, but that causes the neighboring properties to erode and is only a quick fix. Bayfield County has a higher setback from the high water mark for non-developed lands, and eased setbacks from the road. Properties already developed are exempt from this. They've even been discussing the idea that houses on properties with bluff erosion potential would be required to be moveable.

- **Composition of Zoning Department**

VI. Old Business

VIII. Future Agenda Items

- Review Background Document and Forecasts (Section 4) of Comprehensive Plan.

IX. Schedule Future Meetings

- Next Regular Monthly Meeting to be held Wednesday, January 16, 2013, at 4:30 pm.

X. Adjournment

G. Thury moves to adjourn. S. Soucek seconds. All in favor. Motion Carries. Meeting ends at 5:45 pm.

Town Plan Commission minutes respectfully submitted by Margaretta Kusch, ZCA on Saturday, January 05, 2013.

Town Plan Commission minutes approved as amended on January 16, 2013.